

Los Alamos National Laboratory — Supplemental Instructions

Section: 19 **Socioeconomic Programs**

Subject: 19.5 **SBA 8(a) Program**

PURPOSE:	This Supplemental Instruction (SI) defines the criteria and procedures for justifying and processing subcontracts awarded to small disadvantaged businesses who have been found eligible to participate in the 8(a) Program of the Small Business Administration (SBA).
POLICY:	The Laboratory will expand its subcontracting opportunities with socioeconomic business concerns to the maximum extent practicable. The Laboratory is authorized to award subcontracts on a noncompetitive basis to firms certified as participants in the SBA's 8(a) Program.
SCOPE:	This SI applies to all subcontracts awarded to 8(a) subcontractors.
DEFINITION: SBA 8(a) Program	The SBA 8(a) Program is a program established by the Small Business Act of 1958 in which small disadvantaged businesses are certified by the SBA to be competent and responsible to perform subcontracts. Subcontractors so certified by the SBA are referred to as "8(a) subcontractors."
PROCEDURES: Considerations for 8(a) Subcontracts	When an 8(a) subcontractor is identified as being qualified to meet the needs of a particular requirement, every consideration should be given to awarding the subcontract to that 8(a) subcontractor.
Noncompetitive Awards	<u>Subcontracts of \$3 million or less, or \$5 million or less for construction subcontracts, may be awarded on a noncompetitive basis to an 8(a) subcontractor if the 8(a) subcontractor offers the Laboratory a fair and reasonable price for the required goods or services.</u> Before awarding a subcontract to an 8(a) firm, the subcontractor's certification by the SBA must be verified and a copy of the SBA certification must be obtained.
Competitive Awards	If several qualified offerors, one of which is an 8(a) subcontractor, are considered to be qualified, use your best judgement in deciding whether to award the subcontract noncompetitively to an 8(a) subcontractor, to compete the requirement as a set-aside (see SP 19.3, Set-Asides), or to compete the requirement on an unrestricted basis.
Documentation	Provide a copy of all 8(a) subcontracts to the Small Business Liaison Office.

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PROCEDURES:

(cont.)

Data Entry Requirements

Identify the award as a set-aside by entering "8" in the S/A block of the Order Entry Document (OED).

RESPONSIBILITIES:

Procurement Specialist

The procurement specialist must

- Ensure that 8(a) subcontractors are considered for award of Laboratory subcontracts;
- Award subcontracts of \$3 million or less, or \$5 million or less for construction subcontracts, noncompetitively to 8(a) subcontractors;
- Verify that an 8(a) subcontractor has been certified by the SBA under the 8(a) Program;
- Use his or her best judgement to determine whether to award a subcontract to an 8(a) subcontractor; and
- Code 8(a) subcontracts as set-asides on the OED.

REFERENCE:

DOE Acquisition Letter 94-12